

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO:
TRACK 2 SETTLEMENT

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

DECLARATION OF JENNIFER FOUNTAIN CONNOLLY

I, Jennifer Fountain Connolly, declare as follows:

1. I am a partner at Wexler Wallace LLP and am one of plaintiffs' attorneys. I submit this Declaration in support of Class Plaintiffs' Motion For Protective Order With Regard to Muriel Tonacchio Deposition.

2. Attached as Exhibit A is a true and correct copy of the Notice of Deposition for Muriel Tonacchio served on March 24, 2009 by Don Haviland.

3. Attached collectively as Exhibit B are true and correct copies of the Subpoenas Duces Tecum Class Plaintiffs served on John Pentz, Connie Pentz and Corinna Connick, all objectors to the Track 2 Settlement.

4. Attached as Exhibit C is a true and correct copy of a February 27, 2009 Opinion entered by Judge Steven T. O'Neill in *In re Bridgeport Fire Litigation*, CCP Master File No. 05-20924 (Court of Common Pleas, Montgomery Cty, Penn.).

5. Attached as Exhibit D are true and correct copies of correspondence exchanged between me and Don Haviland in the process of meeting and conferring regarding the Tonacchio deposition.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: March 27, 2009

/s/ Jennifer Fountain Connolly

Jennifer Fountain Connolly

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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on March 27, 2009, I caused copies of *Declaration of Jennifer Fountain Connolly* to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Jennifer Fountain Connolly
Jennifer Fountain Connolly